IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.1214 OF 1995

Citibank N.A. ..Plaintiffs

Versus

Sukhvinder S.Sahani ..Defendant

Ms.Kavita Anchan i/by M/s.M.V.Kini & Co. for plaintiffs.

CORAM : A.S.OKA,J

DATE : 30.08.2007.

PC

1. The affidavit of service of writ of summons under Sub rule 2 of Rule 2 of Order XXXVII of the Code of Civil Procedure 1908 is taken on record and marked "X" for identification.

2. The learned Counsel for the plaintiffs pointed out that the defendant has not entered an appearance within the time stipulated by law and hence, under sub rule 3 of rule 2 of Order XXXVII of the Code of Civil Procedure 1908, the plaintiffs are entitled to a decree as prayed in the suit.

3. The record shows that the defendant has not entered the appearance. Hence, the allegations in the plaint shall be deemed to have been admitted and

the plaintiffs are entitled to a decree as prayed for. Hence, suit is decreed as prayed for. Certified copy expedited.

(JUDGE)